

Tab 14

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

VALERIE W. WAKEFIELD, : Civil Division
Plaintiff, :
 : Civil Action
 : No. 05 CV 79 - Erie
 :
VS. :
 :
JOY MINING MACHINERY :
COMPANY, a division of :
Harnischfeger Industries, :
Defendant. : Honorable Maurice B. Cohill, Jr.

Deposition of : DIANE KEMICK

Date : September 20, 2006
commenced at 1:20 p.m.
Place : Franklin Club
1341 Liberty Street
Franklin, PA

APPEARANCES:

FOR THE PLAINTIFF:
ALEXANDER H. LINDSAY, JR., ESQ.
The Lindsay Law Firm, P.C.
128 South Main Street
Butler, PA 16001

FOR THE DEFENDANT:
PAMELA G. COCHENOUR, ESQ.
Pietragallo, Bosick & Gordon
The Thirty-eighth Floor
One Oxford Centre
Pittsburgh, PA 15219

1 question before you give your answer. Number
2 one, you don't know what the question is and
3 number two, she can't take us both down at the
4 same time. Okay?

5 A. Okay.

6 Q. Where do you work, ma'am?

7 A. Joy Mining Machinery.

8 Q. And what do you do with Joy Mining Machinery?

9 A. I'm a Human Resource Representative.

10 Q. How long have you held that position?

11 A. Eight years.

12 Q. And what is that position? What do you do?

13 A. My main function as an Human Resource
14 Representative is to administer the benefits
15 program at Joy.

16 Q. Okay. Does your -- I guess, do you have a job
17 description? If I use that term, do you know
18 what I'm talking about?

19 A. I'm sorry?

20 Q. All right. Does your job include in any way
21 evaluating, dealing with, administering sexual
22 harassment claims?

23 A. I do not believe the job description specifically
24 mentions that. That's kind of one of those
25 included duties as included.

1 Q. What did that involve?

2 A. It involved two men at the chain plant.

3 Q. At the what plant?

4 A. The chain plant.

5 Q. All right.

6 A. One of the men was writing offensive notes to the
7 other employee's wife.

8 Q. I see. Was there a disciplinary process for the
9 employee in question?

10 A. I was not involved in the case. I was aware of
11 some of things about it, but I wasn't directly
12 involved in that case.

13 Q. All right. Did you ever have any discussions
14 with Larry Meade outside of those discussions
15 where Mr. Maritz was present?

16 A. About the Wakefield claim?

17 Q. About the Wakefield claim.

18 A. At any period of time?

19 Q. At anytime.

20 A. There was one discussion in April of this year
21 that I met with Mr. Meade just to make sure that
22 he was -- he remembered that he was not to have
23 any contact with Valerie and to check on his
24 progress to see if things were going well.

25 Q. Any other discussions with him other than that

1 one discussion this year?

2 A. He called me on the phone one time and that would
3 have probably been this year as well and said
4 that he -- one of our executives was visiting the
5 building and the executive had passed out and
6 they called for Larry as an EMT. Larry wanted me
7 to be aware of the fact that he had left his work
8 area and was in what was considered to be Val's
9 area to resuscitate this person. He said he had
10 not seen Valerie, but he just wanted HR to be
11 aware of the fact that he was in that area. That
12 was the only other time I can remember speaking
13 with Mr. Meade.

14 Q. All right.

15

16 MR. LINDSAY: That's all I have.

17 MS. COCHENOUR: I have no
18 questions. We'll read. Thank you.

19

20 (Deposition concluded at 1:40 p.m.)

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